

ASSIGNMENT

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This Assignment, effective as of the date of the last signature below, is made by ENDOVASCULAR TECHNOLOGIES, INC. ("EVT") of 3200 Lakeside Drive, Santa Clara, CA 95054, a Delaware corporation, to TIMOTHY A.M. CHUTER, M.D. of 70 Valley Court, Atherton, CA 94027, an individual.

WHEREAS, EVT is the owner, by assignment, of the entire right, title and interest in a new and useful **DEVICE AND METHOD FOR STAGED IMPLANTATION OF A UNIBODY GRAFT FOR VASCULAR REPAIR** for which an application for United States Letters Patent was filed on October 6, 2000 and has been assigned U.S. Serial No. 09/684,008; and

WHEREAS, TIMOTHY A.M. CHUTER, M.D. desires to acquire by formal, recordable assignment the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged and includes a non-exclusive license to be retained by EVT to make, use and sell products or devices disclosed in or covered by said application for Letters Patent and any subsequently filed divisional, continuation, or reissue application, EVT does hereby sell, assign and transfer to TIMOTHY A.M. CHUTER, M.D, the entire right, title and interest in and to said invention, said application, and any Letters Patent that may be granted for said invention in the United States, together with all income, royalties, damages or payments due or payable as of the effective date of this Assignment or thereafter, including without limitation, all claims for damages by reason of past, present or future infringement or other unauthorized use of the application for Letter Patent, with the right to sue for, and collect the same for its own use and enjoyment, and for the use and enjoyment of its successors, assigns, or other legal representatives

Further, EVT agrees that, upon request and without further compensation, but at no expense to Assignors, they and their legal representatives and assigns will do all lawful acts, including the execution of papers and the giving of testimony, that may be necessary or desirable

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for obtaining, sustaining, reissuing or enforcing Letters Patent in the United States for said invention, and for perfecting, recording or maintaining the title of TIMOTHY A.M. CHUTER, M.D., his successors and assigns, to said invention, said application, and any Letters Patent granted for said invention in the United States.

EVT represents and warrants that it has not granted and will not grant to others any rights inconsistent with the rights granted herein.

EVT authorizes and requests the Commissioner of Patents and Trademarks of the United States to issue any Letters Patent granted for said invention, whether on said application or on any subsequently filed division, continuation, or reissue application, to TIMOTHY A.M. CHUTER, M.D., his successors and assigns, as the assignee of the entire interest in said invention.

IN WITNESS WHEREOF, this Assignment is executed by an authorized representative of each party on the date written below.

AGREED:

TIMOTHY A.M. CHUTER, M.D.

By (Signature): T. Chuter
Date: 6/8/04

ENDOVASCULAR TECHNOLOGIES, INC.

By: J. Nygaard
Typed Name: Jon Nygaard
Title: Vice President and General Counsel
Date: 5/27/04